

IN THE HIGH COURT OF UTTARANCHAL AT
NAINITAL
WRIT PETITION NO. 666 (MS) OF 2006

Basheer Ahmad, S/o Mohd. Hasan,
R/o Village-Khatakhedi, Pargana-Bhagwanpur,
Tehsil-Roorkee, District-Haridwar. Petitioner.

Versus

1. District Deputy Director of Consolidation
Haridwar/Additional District Magistrate, Haridwar,
District-Haridwar.
2. Mohd. Imran, S/o Abdul Rasheed @ Bulla R/o Village-
Khatakhedi, Pargana-Bhagwanpur, Tehsil-Roorkee,
District-Haridwar.
3. Consolidation Committee of Village-Khatakhedi,
Pargana-Bhagwanpur, Tehsil-Roorkee, District-
Haridwar, through its Village Pradhan.
.....Respondents.

Dated: 08.06.2006

Hon'ble Rajesh Tandon, J.

Heard Sri Lok Pal Singh, Advocate for the petitioner and
Standing Counsel for the respondents. Both the parties have
agreed that let the matter be finally disposed of at the
admission stage.

By the present writ petition, the petitioner has prayed for
a writ of certiorari quashing the order dated 23.03.2006
(Annexure No. 7 to the writ petition) passed by the respondent
no. 1 and further be pleased to quash the orders dated
11.12.2002 and 05.07.2003 (Annexure Nos. 1 and 2 to the writ

petition) passed by the Assistant Settlement Officer of Consolidation.

Petitioner has submitted that the application for correcting the father's name in the restoration application has already been moved and the same has not been considered. The petitioner has submitted that the restoration application may be disposed of accordingly.

During the course of the arguments, the petitioner has submitted that he is not pressing the writ petition on merits, however, he has only sought the permission to move the application for rectifying the defect on which ground the application has been rejected. If such an application is filed for curing the defect, the same shall be considered by the Presiding Officer giving full opportunity to the petitioner to rectify the mistake so that the rectification application as well as restoration application may be heard on merits.

Subject to the aforesaid, writ petition is disposed of.

(Rajesh Tandon, J.)

08.06.2006

Rathour